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REMARKS

The Applicants have carefully reviewed and considered the Office Action of 25 January 2006. In response the Applicants amend claim 14 but otherwise maintain the claims in their original form. Based upon the following comments it is believed the Examiner will agree that all the pending claims patentably distinguish over the prior of record and should be allowed.

Claims 1–5 and 8–10 very clearly patentably distinguish over U.S. Patent 6,436,160 to Stephens et al. In support for the rejection the Examiner states in the Office Action that the dirt container of the Stephens et al. patent includes "a collection chamber and a combined handle and inlet flow passageway 46, 56".

It is believed the Examiner has misinterpreted this reference. At col. 3, lines 40–42 the Stephens et al. patent explicitly states "[a] handle 52 extends from the outer wall 38 at a position substantially opposite (i.e. about 180°) from the inlet duct 46." The Stephens et al. patent explicitly teaches providing a handle 52 opposite an inlet duct 46. The Stephens et al. patent does not in any way teach or suggest the concept of providing a combined handle and inlet flow passageway as set forth in the present application and clearly illustrated at 50, 54 in Figures 2–4.

Claims 2–4 which depend from claim 1 and are rejected on the same grounds are equally allowable for the same reasons.

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Similar to claim 1, independent claim 8 reads on a dirt container for a vacuum cleaner including a combined handle and inlet flow passageway. As noted above, no such structure is provided in the Stephens et al. patent cited by the Examiner. Specifically, the Stephens et al. patent includes a handle 52 that is completely separate from the inlet duct 46. In fact, it is provided on the opposite side of the dirt cup. Accordingly, the Stephens et al. patent provides no basis whatsoever for the rejection of claim 8 or claims 9 and 10 dependent thereon.

Claims 6 and 11 also very clearly patentably distinguish over the Stephens patent even when considered in combination with U.S. Patent 6,599,350 to Rockwell et al. As noted above, the primary reference to Stephens explicitly teaches providing a handle 52 on the side of the dirt cup opposite the inlet duct 46. In no way does such a structure suggest to one skilled in the art that the inlet duct could be provided in the handle as set forth in present claims 1 and 8 from which claims 6 and 11 depend respectively. Since the secondary reference to Rockwell et al. provides no teaching to overcome this shortcoming of the primary reference, claims 6 and 11 must be found to patentably distinguish over the art and should be allowed.

Similarly, claims 7 and 12 patentably distinguish over the Stephens et al. patent, as modified by Rockwell et al. when considered in further combination with U.S. Patent 6,228,260 to Conrad et al. Like the Stephens et al. and Rockwell et al. patents, the

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Conrad et al. patent fails to teach or suggest the concept of providing a combined handle and inlet flow passageway. Since none of the cited references teach this structure, claims 7 and 12 clearly patentably distinguish and should be allowed.

Claim 13 very clearly patentably distinguishes over U.S. Patent 6,829,804 to Sepke when considered in combination with the Rockwell et al. patent. In formulating the rejection, the Examiner asserts that the housing, nozzle and other vacuum components of the Sepke patent in combination with the prefilter (baffle) 62 of the Rockwell et al. patent teaches the structure set forth in present claim 13.

A detailed review of the Rockwell et al. patent reveals that element 62 actually is a "lid" that fails to constitute the "prefilter" with "at least one airflow passageway in a face of said prefilter" as required by claim 13. Whether considered singularly or in combination the Sepke and Rockwell et al. patents simply fail to teach or suggest this structure set forth in claim 13 which, accordingly, should be allowed.

Finally, claim 14, as amended, very clearly patentably distinguishes over U.S. Patent 2,894,600 to Veres. The Veres patent discloses an air filtering device, "such as for pneumatically actuated tools" that includes a receptacle 24 housing a "baffle trap" 42 and a filtering element 46. Clearly the Veres patent does not teach nor relate to a dirt container for a vacuum cleaner. As amended, claim 14 provides in the body of the claim that the housing includes a dirt collection chamber carried on the vacuum cleaner. Such a


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structure is simply not shown or suggested in the Veres patent and, accordingly, this claim should be allowed.

In summary, all the pending claims patentably distinguish over the prior art and should be formally allowed. Upon careful review and consideration it is believed the Examiner will agree with this proposition. Accordingly, the early issuance of a formal Notice of Allowance is earnestly solicited.

Respectfully submitted,

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